

Delegated Report

Planning Ref: 24/00150/HOU

Applicant: Mr Matthews

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 18 Watling Street Atherstone Warwickshire

Proposal: Single storey rear extension, addition of rear dormer and render

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks planning permission for the construction of a single storey rear extension, a rear dormer window and the application of replacement white render to the external elevations of a dwelling, 18 Watling Street, Atherstone.

2.2. The proposed single storey rear extension would extend up to 5 metres from the main rear elevation and wrap around an existing two storey rear range to a total width of 4.2 metres. It would have a flat roof form to a height of 2.9 metres. The proposed rear dormer window would be 4.2 metres in width, set back 0.9 metres from the rear elevation and up to 2.5 metres in depth and 0.5 metres lower than the main roof ridge at 1.9 metres in height. The application proposes the use of smooth white render to the external walls of the proposed extension and replacement of the existing pebble faced render at the rear with matching smooth white render and matching tile hung walls to the proposed dormer window.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Witherley in a row of residential properties. It is a semi-detached two storey dwelling with gable sided main roof form, a two storey rear range with lean-to roof form and two single storey flat roof extensions to the rear elevation. It is constructed with pebbledash rendered walls, small red/brown weathered plain roof tiles and dark brown uPVC windows to the front elevation and white uPVC windows to the rear elevation.

3.2. There are two storey semi-detached dwellings constructed on the same building lines and of similar design but more varied appearance to the northwest and southeast on both sides of the site. There are long narrow rear gardens with a modern residential estate to the rear and open fields opposite the A5 Watling Street to the southwest.

4. Relevant planning history

None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No objection has been received from Witherley Parish Council.
- 6.2. The Borough Council's Conservation Officer considers that by virtue of small scale nature of the proposal, and the separation distances and existing screening between the host dwelling and no.12 Watling Street there would be no adverse impacts upon the significance of the listed building.

7. Policy

- 7.1. Core Strategy (2009)
- No relevant policies
- 7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations to existing domestic properties within settlement boundaries are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area and setting of the nearby listed building
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area and setting of the nearby listed building

- 8.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.
- 8.3. Section 16 of the NPPF (2023) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing

justification, and for that harm to be weighed against the public benefits of a proposal.

- 8.4 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.

- 8.5 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states:

'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.' and,

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

- 8.6 The proposed single storey rear extension would extend for an appropriate depth of 5 metres from the main rear elevation and wrap around an existing two storey rear range to a total and appropriate width of 4.2 metres. Notwithstanding its flat roof design, by virtue of its single storey scale to a clearly subordinate height of only 2.9 metres and its siting entirely to the rear where it would be completely screened from any public views, the proposal would have no adverse visual impact on the application dwelling or any street scene. It would also be characteristic of similarly designed flat roof extensions attached to the rear of other neighbouring dwellings, notably the adjoining semi-detached house.

- 8.7 Whilst flat roof dormer windows do not generally result in attractive development, they are widespread throughout the Borough on rear roof elevations. There is a smaller flat roof dormer window within the rear roof slope of a similar neighbouring dwelling located to the southeast (No. 24) and therefore the proposal would not be uncharacteristic of the area. In this case, the proposed flat roof dormer window would be located on the rear roof slope with a clearly subordinate 0.5 metres lower height to the main roof ridge and would be set in from the rear elevation wall by 0.9 metres. As a result, notwithstanding its almost full 4.2 metres width, it would still sit comfortably within the rear roof slope and by virtue of its siting to the rear roof elevation where it would be screened from the street scene it would have no significant adverse visual impacts upon it or the wider surrounding area.

- 8.8 The application proposes the use of smooth white render to the external walls of the proposed rear extension and replacement of the existing pebbledash render on the existing rear elevation with matching smooth white render and matching hanging tiles to the walls of the proposed dormer window. These proposed materials

together with the appropriately proportioned fenestration, would ensure a satisfactory and unified appearance.

- 8.9 The proposals lie within the extended setting of a Grade II listed building, 12 Watling Street, a grand 19th century dwelling located to the west. It is considered that by virtue of the intervening two storey dwellings, existing landscaping and separation distances of 20 metres to the boundary of the garden of the listed building and 40 metres to the listed building itself, that the proposals would have no adverse impacts on the significance of the listed building or its wider setting.
- 8.10 Notwithstanding their flat roof design, by virtue of their siting to the rear, clearly subordinate scale and the proposed use of appropriate external materials in their construction, the proposals would respect the scale, character and appearance of the existing dwelling and similar neighbouring development and by virtue of separation distances and intervening screening would be compatible with the significance of the nearby listed building and its wider setting. The proposals are therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.12 By virtue of its single storey scale, 2.9 metres height, flat roof design and 5 metres depth, the proposed rear extension would only extend to a similar depth as existing similarly designed single storey flat roof extensions to the rear of the adjoining dwelling to the southeast (No. 20) and the other neighbouring dwelling to the northwest (No. 16). Therefore, the proposal would not result in any significant adverse overbearing or overshadowing impacts or result in any loss of privacy to the adjoining occupiers. By virtue of being set in 0.9 metres from the rear elevation wall and its appropriately proportioned window, the proposed rear dormer would not result in any significant adverse overbearing or overshadowing impacts or result in any significant additional loss of privacy to the adjoining occupiers over and above that of the existing first floor window below it. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.13 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The proposal would result in the addition of a third loft space bedroom to the dwelling. The highway authority design guide would therefore require the provision of two off-street parking spaces to serve the resulting dwelling. The 7 metres deep and 5 metres wide site frontage is entirely hard surfaced and currently provides two off-street parking spaces which would be unaffected by the proposals. This level of provision would remain adequate to serve the resulting three bedroomed dwelling and the proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance standards.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal is for an extension and alteration to an existing dwelling located within the settlement boundary of Witherley where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. Notwithstanding their flat roof design, by virtue of their siting to the rear, clearly subordinate scale and the proposed use of appropriate external materials in their construction, the proposals would respect the scale, character and appearance of the existing dwelling and similar neighbouring development and by virtue of separation distances and intervening screening would be compatible with the significance of the nearby listed building (12 Watling Street) and its setting. By virtue of their siting, scale, design, and effective existing boundary screening, the proposals would have no significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers. Adequate off-street parking of two spaces and ample private amenity space of approximately 280 square metres would be retained within the site to serve the resulting dwelling. The proposals are considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are therefore recommended for approval subject to conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location Plan Drawing No. 1315-09 received by the local planning authority on 16 February 2024 and Proposed Block Plan, Floor Plans, Elevations and Section Drawing No. 1319-10 Rev A received by the local planning authority on 26 February 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extensions and alterations shall be in accordance with the details submitted on the approved Proposed Elevations Drawing No. 1319-10 Rev A received by the local planning authority on 26 February 2024 and shall be smooth white render to the external walls and matching tile hanging to the approved rear dormer window.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. The applicant's attention is drawn to the provisions and requirements of the Party Wall etc. Act 1996.